REMARKS

In light of the following remarks, reconsideration and allowance of this application are respectfully requested.

Claims 1-5, 13-15, 20-24, 32-36, 44-46 and 51-55 are in this application.

At paragraph 8 of the outstanding Final Office Action of October 7, 2003, the Examiner rejected claims 1-5, 13-15, 20-24, 32-36, 44-46 and 51-55 under 35 U.S.C. 103(a) as being unpatentable over JP 10-65662 in view of Schneck et al. (U.S. Patent No. 6,314,409 B2) and Ryan et al. (U.S. Patent No. 6,374,036 B1). Applicants therefore, respectfully traverse the rejection.

Independent claim 1, recites in part, "An information-signal playback system comprising...**comparing means for comparing the decrypted information on said copyright protection with the unencrypted information on said copyright protection to judge if an attempt to alter the information on said copyright protection has been performed**..." (Underlining and Bold added for emphasis.)

The combination of JP 10-65662, Schneck and Ryan fail to teach or suggest the above-recited limitation of independent claim 1.

At paragraph 8 of the present Final Office Action the Examiner stated that claim limitations (i) "output means for supplying the information on copyright protection encrypted by the encryption means..." and (ii) "watermark detecting means" are not disclosed by JP 10-65662. The Examiner relied only on Schneck and Ryan to teach the above-mentioned limitations and therefore to reject all the pending claims.

Schneck merely teaches encrypting some of the copyright information. The claimed invention, however, recites that all of the copyright information is provided in both encrypted and unencrypted forms. While the Examiner states that it would be obvious to provide all of the copyright information in both encrypted and unencrypted form, applicants disagree. Without a reason for sending all of the information twice, such a transmission would be a waste and would use up additional time and resources for no purpose. In the claimed invention, the reasoning behind sending all the information in two forms, one encrypted and one unencrypted, is for comparison purposes. Specifically, in the claimed invention the contents of the decrypted and unencrypted information streams are compared in order to determine if an attempt to alter the information on said copyright protection has been performed by a user. Without performing such a comparison, Schneck has no reason to send an encrypted information signal of all the copyright data and an unencrypted information signal of all the copyright data because it would be redundant and would take up valuable storage space. Indeed, Schneck is determining whether a data element should be protected or unprotected and depending on this determination the data element is stored either in the encrypted body part or the unencrypted body part, not in both body parts (column 13, lines 11-18 and column 14, lines 17-26). This is done because Schneck needs to control access to digital data that comprises protected data portions. No comparison is being performed between decrypted and unencrypted data and it would not have been obvious for Schneck to do so if there is no reason to do a comparison of all the data. Schneck even discloses a method of controlling access to data by protecting portions of the data (column 7, lines 15-18) and that the protecting is done by encrypting portions of data and access is prevented to the encrypted portions of data (column 7, lines 51-53).

Ryan does not teach the above-mentioned added feature of independent claim 1. Ryan does not teach that all of the copyright information is provided in both encrypted and unencrypted forms and also does not teach comparing means for comparing the decrypted information on the copyright protection with the unencrypted information on the copyright protection to judge if an attempt to alter the information on the copyright protection has been performed. Indeed, Ryan is only concerned with a method that requires only one watermark for digital video recording (column 2, lines 30-35). At page 4 of the present Final Office Action the Examiner states that Ryan "does not specifically disclose that encrypted and unencrypted information are compared." After this acknowledgement of the deficiency of Ryan, the Examiner states that even though this feature is not disclosed by Ryan, "the feature of comparing attributes to k known standards is a variation of comparing bits and data streams that one of ordinary skill in the art would recognize as a viable and straightforward means of detecting fraudulent conduct." Applicants respectfully disagree with the Examiner because in order to perform a comparison between, for example, two data streams, a reason needs to be provided for doing so, and the two data streams must be present. In Ryan, they are not.

However, in accordance with the claimed invention it is essential that the entire copyright information portion of the information stream is provided in both encrypted and unencrypted form because the purpose of the invention is to prevent an illegal copy operation by comparing the contents of the decrypted and unencrypted information streams. In order to prevent illegal copies, all the data must be available in both formats in order to perform an accurate comparison. Therefore, both Schneck and Ryan do not disclose "comparing means for comparing the decrypted information on said copyright protection with the unencrypted information on said copyright protection to judge if an attempt to alter the information on said

copyright protection has been performed" and it would not have been obvious or useful for Schneck or Ryan to add a comparing means to their inventions because such a limitation would not provide for any benefit and in fact would render their apparatuses overly complex with no apparent benefit.

Therefore, independent claims 1, 13, 20, 32, 44 and 51 are believed to be distinguishable from JP 10-65662 in view of Schneck and Ryan.

Claims 2-4, 14, 15, 21-24, 33-36, 45, 46 and 52-55 are dependent from one of the independent claims, and due to such dependency, are believed to be distinguishable from JP 10-65662 in view of Schneck and Ryan for at least the reasons previously described.

Applicants therefore, respectfully request the rejection of claims 1-5, 13-15, 20-24, 32-36, 44-46 and 51-55 under 35 U.S.C. 103(a) be withdrawn.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants' undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

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